

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

**JOHN DOES #1-3, individually and on
behalf of others similarly situated,**

Plaintiffs,

v.

**WILLIAM B. LEE, Governor
of the State of Tennessee, and
DAVID B. RAUSCH,
Director of the Tennessee Bureau of
Investigation, and TONY C. PARKER,
Commissioner of the Tennessee
Department of Correction,
in their official capacities,**

Defendants.

No. 3:19-cv-00532

District Judge Waverly D. Crenshaw, Jr.

**JOINT MOTION TO STAY DETERMINATION ON PLAINTIFFS' MOTION TO
CERTIFY RULE 23(B)(2) CLASS**

Plaintiffs and Defendants in this case hereby jointly move this Court to stay its determination on Plaintiffs' Motion to Certify Rule 23(b)(2) class until after the initial case management conference in this case, scheduled for September 16, 2019. In support of this motion, the parties would show the Court as follows:

1. Plaintiffs filed this action on June 26, 2019. The next day they filed a Motion to Certify Rule 23(b)(2) Class. (Doc. 4 Page ID# 43.)

2. Defendants filed a response opposing certification of a class on August 19, 2019. (Doc. 26 Page ID# 167.)

3. Pursuant to Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure, the Plaintiffs filed an Amended Complaint on September 3, 2019.

4. In light of the Amended Complaint, the parties agree that Defendants should be given the opportunity to file an additional or revised response to the Motion to Certify Rule 23(b)(2) class if they desire. Likewise, Plaintiffs should be given the opportunity to file a reply to any additional or revised response filed by Defendants.

5. It may also be necessary for Plaintiffs and/or Defendants to conduct discovery on issues related to class certification.

For all of these reasons, the parties respectfully request that this Court stay any ruling on Plaintiffs' Motion to Certify Rule 23(b)(2) Class until after the initial case management conference scheduled for September 16, 2019. Deadlines for any additional responses and replies, as well as parameters for discovery on the class action issues, can be finalized at that conference.

Respectfully submitted:

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